

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 SAM-01

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FM AMEMBASSY MADRID

TO SECSTATE NIACT IMMEDIATE 7098

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY ROME

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY BRUSSELS

AMEMBASSY LISBON

AMEMBASSY COPENHAGEN

AMEMBASSY STOCKHOLM

AMEMBASSY OSLO

USMISSION NATO

USMISSION EC BRUSSELS

C O N F I D E N T I A L MADRID 6924

E.O. 11652: GDS

TAGS: PINT, SP

SUBJECT: SUAREZ' REFORM PROGRAM

1. FOREIGN MINISTER OREJA HAD HIS CONFIDENTIAL SECRETARY, JAVIER RUPEREZ, CALL IN EMBOFF FOR ADVANCE BRIEFING ON THE POLITICAL REFORM PROGRAM TO BE ANNOUNCED BY PRIME MINISTER SUAREZ THIS EVENING ON NATIONWIDE TELEVISION. RUPEREZ GAVE US A BRIEF WRITTEN PRECIS OF THE DOCUMENT WHICH FOLLOWS IN SUMMARY TRANSLATION:

--"THE DRAFT PROPOSAL ON CONSTITUTIONAL REFORM TO BE REMITTED TO THE NATIONAL COUNCIL AND THE CORTES CONSISTS OF FIVE ARTICLES THAT MODIFY THE COMPOSITION OF THE
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CORTES AND ESTABLISH A CONGRESS OF DEPUTIES,

ELECTED BY UNIVERSAL DIRECT AND SECRET SUFFRAGE
AND A SENATE WHOSE MEMBERS WILL BE ELECTED IN REPRESENTATION OF TERRITORIAL ENTITIES ALSO BY UNIVERSAL DIRECT SECRET SUFFRAGE.

--"THE GOVERNMENT WILL BE CHARGED WITH SETTING FORTH THE ELECTORAL NORMS FOLLOWING THE PRINCIPLE OF PROPORTIONAL REPRESENTATION OF THE CONGRESS AND BE ELECTED BY MAJORITIES FOR THE SENATE.

--"AFTER THE CORTES PASSES THIS TEXT, THE DRAFT LAW WILL BE SUBMITTED TO REFERENDUM AND AFTERWARDS THE DATE FOR THE ELECTIONS WILL BE FIXED WHICH WILL NOT IN ANY CASE TAKE PLACE BEFORE THE 30 OF JUNE 1977.

--"FURTHER CONSTITUTIONAL REFORM WILL BE THE TASK OF THE NEW CORTES AND THE INITIATIVE IN THIS RESPECT WILL LIE EQUALLY WITH THE GOVERNMENT AND WITH THE CONGRESS OF DEPUTIES."

2. RUPEREZ NOTED THAT ONE-FIFTH OF THE SENATE WOULD BE COMPOSED OF PERSONS NAMED BY THE KING FOR THE TERM OF THE CORTES CONGRESS. HE ADDED THAT THOUGH HE COULD NOT BE SURE HE HAD THE IMPRESSION THAT THE PROJECT WOULD BE BASICALLY WELL RECEIVED BY THE DEMOCRATIC OPPOSITION SINCE IT INCORPORATED A NUMBER OF CONCEPTS THE OPPOSITION HAD BEEN CALLING FOR TO GUARANTEE THE DEMOCRATIC PROCESS, TO WIT, THE END OF FRANCO'S 40, SOME FORM OF PROPORTIONAL REPRESENTATION (RATHER THAN THE SINGLE MEMBER DISTRICT IDEA ADVOCATED BY FRAGA), A REGIONAL FLAVOR TO THE SENATE, AND A RECOGNITION THAT THE FIRST DEMOCRATICALLY ELECTED CORTES WOULD HAVE CONSTITUTIONAL RESPONSIBILITIES AND THAT THE INITIATIVE WOULD LIE WITH THE LOWER HOUSE RATHER THAN THE UPPER HOUSE.

3. HE NOTED THAT THE TICKLISH ISSUE OF EXECUTIVE RESPONSIBILITY HAD BEEN AVOIDED IN THE DOCUMENT AS IT STOOD, BUT THAT IT WOULD HAVE TO BE DEALT WITH LATER. RUPEREZ, WHO IS CLOSE TO OREJA, INDICATED THAT IT WAS HIS IMPRESSION THAT SHOULD THE CORTES REFUSE TO PASS THIS PROPOSAL, THE GOS WAS DETERMINED TO GO AHEAD WITH THE REFERENDUM AND WOULD

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"DISSOLVE" THE CORTES. THIS WAS THE SORT OF DAMOCLES WHICH THE GOVERNMENT HELD OVER THE CORTES. EMBOFF ASKED THAT RUPEREZ CONVEY OUR APPRECIATION TO THE FOREIGN MINISTER FOR THE ADVANCE BRIEFING.

4. WE WILL REPORT SUBSEQUENTLY ON SUAREZ' MESSAGE TO THE NATION AND FIRST REACTIONS WHEN THE PROGRAM IS PUBLISHED.

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